

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Robert Roy Foster Jr

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**-against-**

Sheriff Chuck Wright, Deputy Osbourne  
City of Spartanburg, Spartanburg County,  
Spartanburg County Detention Center (see attached)

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

**Complaint for Violation of Civil Rights**

(Prisoner Complaint)

Case No. 1:25-cv-02807-SAL-SVH

*(to be filled in by the Clerk's Office)*

Jury Trial: ☒ Yes ☐ No  
*(check one)*

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

When submitted for filing, your complaint should be accompanied by the full filing fee or an application to proceed in *forma pauperis*.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Robert Roy Foster Jr

All other names by which you have been known:

ID Number

Current Institution

Address

Spartanburg County Detention Center  
950 California Avenue Spartanburg  
South Carolina 29303**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Chuck WrightJob or Title  
(if known)Sheriff

Shield Number

Employer

Address

Spartanburg County Sheriff  
8045 Howard Street Spartanburg  
SC 29303☒ Individual capacity☒ Official capacity

Defendant No. 2

Name

Deputy Osbourne

Job or Title  
(if known)

Correctional Officer

Shield Number

Spartanburg County Detention Center

Employer

Spartanburg County Sheriff

Address

950 California Avenue Spartanburg  
SC 29303

☒ Individual capacity

☒ Official capacity

Defendant No. 3

Name

Deputy Rashelle Gentry aka Ms Gentry (witness)

Job or Title  
(if known)

DHO (disciplinary hearing officer) Spartanburg Sheriff

Shield Number

Employer

Spartanburg County Det Center Spartanburg Sheriff

Address

950 California Avenue  
SC 29303

☒ Individual capacity

☒ Official capacity

Defendant No. 4

Name

Job or Title  
(if known)

Shield Number

Employer

Address

☐ Individual capacity

☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

8<sup>th</sup> amendment deliberant indifference to medical needs  
14<sup>th</sup> amendment due process clause intentional infliction of emotional distress, harassment title II of the ADA

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Sheriff Chuck Wright retaliation claim responsible for placement in administrative segregation, serious or significant pain or injury to a detainee, Deputy Osborne showed cruel and unusual punishment,

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee

Ms Gentry under the color of state or local law was the first to see me get injured helping her. (pg 4) and under the color of state or local law Deputy Osbourne was deliberately indifferent to my medical needs an expressed intent to punish. Spartanburg County, Spartanburg County Det. Center, and The City of Spartanburg government's policy or custom delayed medical treatment for 2 years showing proof of a Monell claim. Municipality itself is at fault for the officers actions because the courts knew about my injuries an released me still injured not fixed, begging friends for help knocking on doors watching the new charges, and feeling like I was dying. Monell liability deprived of a right, the municipality had a policy, the policy amount to deliberate indifference to rights, and the policy is a <sup>Making force behind the</sup> violations.

VI pg 6) \$500,000 compensatory damages + \$500,000 for punitive damages) and if we have to go to court I need a extra \$1,000,000 for nominal damages if a settlement agreement is not reached before court. The extra \$100,000 is for future medical bills from these injuries making the Settlement 1.1 million without court. The extra 100,000 is injunctive damages.

Defendants: Deputy Gentry (witness), Craig Ninja Antonio Brewton (witness/  
Estate counsel for plaintiff)

VI pg 6 relief) If I am unable to speak in court from my dementia getting worse or I die, I would like for Craig Ninja Antonio Brewton to speak on my behalf as a witness and for my Estate. If I die I would like my Estate (Mr Brewton) to distribute 90% of my settlement to my daughters evenly. My daughters names are: \*Stephaney Nicole Foster, Meagan Roshelle Foster, and Winter Brooke Foster. I would like for a representative from the ADA (American Disability Act) to reach out to me to assist me with counsel to help me understand things about this case if Craig Ninja Antonio Brewton cannot assist me with representing my estate. I only have a 6<sup>th</sup> grade education and need counsel and help.



- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) \_\_\_\_\_

#### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Spartanburg County Detention Center 2024-2025  
\_\_\_\_\_  
\_\_\_\_\_

- C. What date and approximate time did the events giving rise to your claim(s) occur?

Jan.-Feb. I was harassed and injured. Medical allowed me to use a chair and I was wrote up disciplinary actions taken during night shift in 2025  
\_\_\_\_\_

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I've had a hernia for about two years from helping lift a clothes buggy with Mrs Gentry (DHO) up stairs. Deputy Osbourne wrote me up for having a chair in the room locking me down for 3 days.

My private part started bleeding and I had pain in my groin area both times.

#### V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I had a hernia that I received surgery for getting back 3/23/25. I have dementia and a broken finger. Bleeding penis and urinary tract infection. Black penis and scrotum sack from bruising. Bipolar emotional breakdown with depression. I talked to the jail counselor about my problems. I'm in serious pain I feel and look like I'm dying. I also use the bathroom on myself and in the floor.

#### VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

2 million dollars for pain and suffering. I would like my charges also dismissed for having to sit in jail. I also would like 10% of my settlement check wrote out to Craig Ninja Antonio Breton for saving my life choking on a piece of chicken. The damages for 1.1 million dollars is for pain and suffering and punitive damages I'll settle out court (cont attached)

#### VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Spartanburg County Detention Center

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☐ No

☒ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No



If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

I filed in the kiosk computer system

2. What did you claim in your grievance?

That I was injured and needed medical surgery with a chair to sit in to stop my hernia from bursting, bleeding, and pain.

3. What was the result, if any?

Medical cleared me for the chair and when night shift seen it I was disciplined with 3 days on chair taken away. My penis started bleeding in pain.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I had been locked in the room for three days and I took the discipline. I only have a 7<sup>th</sup> grade education and It's hard to use computers.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

I did not write about Osbourne in the grievance after  
the incident after the discipline was done

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I wrote in the kiosk about my injuries

*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

\_\_\_\_\_

\_\_\_\_\_

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

\_\_\_\_\_  
\_\_\_\_\_

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☒ No

- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_  
\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)
- \_\_\_\_\_
- \_\_\_\_\_

#### IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

##### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3/31, 2025. Robert Roy Foster Jr

Signature of Plaintiff

Printed Name of Plaintiff Robert Roy Foster Jr

Prison Identification # 2220

Prison Address 950 California Avenue

Spartanburg South Carolina

City

State

29303

Zip Code

##### B. For Attorneys

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm



Address

Telephone Number

E-mail Address

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